

Deseret News



Publication Name:

Deseret News

Publication URL:

Publication City and State:

Salt Lake City, UT

Publication County:

Salt Lake

Notice Popular Keyword Category:

Notice Keywords:

little cottonwood canyon

Notice Authentication Number:

202104230819408454200**2861627767**

Notice URL:

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Notice Publish Date:

Friday, April 23, 2021

Notice Content

DEPARTMENT OF AGRICULTURE Forest Service Uinta-Wasatch-Cache National Forest; Utah; Little Cottonwood Canyon AGENCY: Forest Service, USDA. ACTION: Notice. SUMMARY: The purpose of this notice is to ensure that all persons and entities interested in Forest Service activities are aware of the Federal Highway Administration's (FHWA) March 9, 2018 Notice of Intent (NOI), March 5, 2019 Revised NOI, and May 15, 2019 Revised NOI (83 FR 10545, 84 FR 7967, 84 FR 21894, respectively) to prepare an environmental impact statement (EIS). FHWA issued the notices to advise the public that an EIS is being prepared for proposed transportation improvements in and near Little Cottonwood Canyon in Salt Lake County, Utah by the Utah Department of Transportation (UDOT). As stated in all three NOIs, the project may require FHWA to appropriate National Forest System (NFS) lands and transfer such lands to the UDOT, which would be in the form of a non-exclusive right-of-way for highway purposes. UDOT will make a decision for project activities on lands that will be appropriated by FHWA at the time of implementation of those activities. A Forest Service decision will apply to project activities, if any, that occur on NFS lands that are not appropriated by FHWA at the time of implementation of those activities. The Forest Service decision may amend the 2003 Wasatch-Cache Forest Plan: if analysis leads the Forest Service to conclude that an amendment is necessary and appropriate. UDOT will prepare a single EIS to satisfy National Environmental Policy Act (NEPA) requirements for the Forest Service and UDOT. The Forest Service intends to use the EIS to make its decision for the NFS lands it administers. FOR FURTHER INFORMATION CONTACT: Brandon Weston, Environmental Services Director, Environmental Services Division, UDOT 4501 South 2700 West, P.O. Box 141265, Salt Lake City, Utah 84114-1265; Telephone: (801) 965-4603, email: brandonweston@utah.gov. Josh Van Jura, P.E., Little Cottonwood Canyon Project Manager, UDOT 4501 South 2700 West, P.O. Box 141265, Salt Lake City, Utah 84114-1265; Telephone: (801) 231-8452, Email: jvanjura@utah.gov. SUPPLEMENTARY INFORMATION: Additional information concerning this project may be obtained at <https://littlecottonwoodeis.udot.utah.gov/>. Purpose and Need for Forest Service Action The purpose of the proposed UDOT project is to implement transportation improvements to State Route 210 in and near Little Cottonwood Canyon (canyon) in Salt Lake County, Utah. Under the Federal Highway Act, FHWA has authority to appropriate rights-of-way on federal lands for highway projects and authorize highway-related uses within the right-of-way. The need for the proposed UDOT project is to address congestion, improve safety for all users, and enhance the availability of public transportation options in the canyon. The Forest Service is responsible for management of the NFS lands that may not be included in a UDOT right-of-way, such as the use of NFS land for temporary construction activities. If the UDOT highway project proposes activities on NFS lands that will not be included in a right-of-way appropriated by FHWA, and that are inconsistent with the Forest Plan, a Forest Plan amendment may be required. Therefore, the Forest Service may need to issue a decision to authorize uses of NFS land outside the right-of-way, and to amend the Forest Plan for that use if it is inconsistent with the current Forest Plan. Lead and Cooperating Agencies for the Environmental Impact Statement UDOT is the Lead Agency for the preparation of the EIS acting under authority of 23 United States Code Section 327, and a Memorandum of Understanding executed by the FHWA and UDOT on January 17, 2017, and the Forest Service is a cooperating agency for the EIS. Other cooperating agencies include the U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, Utah Transit Authority, and the Salt Lake City Department of Public Utilities. Responsible Official The Forest Service responsible official is the Uinta-Wasatch-Cache Forest Supervisor for any decisions that may be required by the Forest Service. Nature of the

Forest Service Decision To Be Made The Forest Service may need to make a decision to authorize use of NFS land outside the right-of-way to be appropriated by FHWA and to amend the Forest Plan for that use if the action is inconsistent with the current Forest Plan. It is anticipated the draft EIS will identify any Forest Service decision that may be required. This notice does not commit the Forest Service to amending the Forest Plan. This notice does not preclude the Forest Service from changing the Forest Plan through administrative change, if appropriate. Any Forest Service decision on project and site-specific activities must be supported by NEPA analysis sufficient to meet Forest Service requirements. In the event the Forest Service determines a Forest Plan amendment is necessary, we hereby give notice that substantive requirements of the 2012 Planning Rule (36 CFR 219) likely to be directly related and, therefore, applicable to the Forest Plan amendment are 36 CFR 219.10(a)(1) and (3), scenery and transportation corridor. The plan amendment would be project-specific, with a scope and scale of only the project activities occurring on NFS lands and only for the NFS lands occurring within the project area. Administrative Review The Forest Service decision on project activities and, if needed, Forest Plan amendment will follow the 36 CFR 218 pre-decisional objection review process (using applicable sub-parts A and B). DN0011663

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